

FROM	NAME & TITLE	ERIC W. TISO, SITE PLAN REVIEW COMMITTEE CHAIR	CITY of BALTIMORE MEMO
	AGENCY NAME & ADDRESS	LAND USE AND URBAN DESIGN DIVISION DEPARTMENT OF PLANNING 417 EAST FAYETTE STREET, 8 TH FLOOR	
	SUBJECT	SITE PLAN REVIEW COMMITTEE MINUTES FOR May 27, 2009	



TO

Captain John Carr, Fire Department
 Mr. Ken Sands, Parking Authority
 Mr. Kirkland Gabriel, DOT TEC
 Mr. Kevin Sullivan, DOT Planning
 Mr. John Thumbi, DOT Traffic
 Dr. Nollie P. Wood Jr., Mayor's Office
 Ms. Miriam Agrama, DHCD Plans Examining
 Mr. James Wescott, Finance
 Mr. Geoff Veale, Zoning Administrator
 Mr. David Tanner, BMZA

DATE:
Date of Distribution: May 27, 2009

In attendance were:

- Eric Tiso for the Department of Planning;
- Kevin Sullivan and John Thumbi for the Department of Transportation; and
- Ken Sands for the Parking Authority;

Agenda

1. **Curb Cut Appeal – 1734 Bank Street**

1734 Bank Street – Curb Cut Appeal

Zoning: R-8

Block/Lot: 1762/026

Urban Renewal: None

Environmental: None

Total Site Area: ±1,200

Summary:

Mr. Christopher Kanakry applied for a curb cut permit to access a proposed parking pad in the rear of his property, from Regester Street. The parking area is 12' in width, and 15'3" in depth, accessed across an 8' wide sidewalk. In the review process, the curb cut permit application was reviewed by various City agencies, and was approved in error. A permit was issued, and work began pursuant to the approval. Following a complaint by an area resident, a stop work order was issued. We understand that the applicant has incurred costs beyond the application process to relocate air conditioning units, and for the partially completed work. The curb cut permit was later revoked by DPW. Following the revocation, Mr. Kanakry appealed to the Site Plan Review Committee for review.

Comments & Issues:

- The fundamental problem with this application is that the principal purpose for the curb cut policy is "to ensure that on-street parking will not be taken away from communities by individual property owners unless a net parking gain for the public can be ensured."
- Regardless of any potential solution to overcome the substandard conditions for the proposed parking pad, there is no way for the applicant to provide for a net gain in private parking that will outweigh the loss of public parking spaces.
- For the above reasons, the Site Plan Review Committee must disapprove the appeal.

Next Steps

- The final avenue for appeals is with the Director of Public Works, Mr. David E. Scott, 600 Abel Wolman Municipal Building, Baltimore, MD 21202, or 410-396-3310.

NOTE

- **Approvals of site plans are contingent upon the applicant fulfilling all the site plan requirements, Subdivision Rules and Regulations, Zoning Code requirements, Forest Conservation requirements, Critical Area and related environmental controls, Traffic Impact Study requirements, and addressing all comments provided by the Site Plan Review Committee during and after the plan review process.**
- **All approved final site plans must be stamped.**

Minutes will be e-mailed to: Mr. Christopher Kanakry

GOAL

The primary goal for developing a curb cut policy, which includes driveway standards and an appeal process, is to ensure that on-street parking will not be taken away from communities by individual property owners unless a net parking gain for the public can be ensured. Concerns focus on the current proliferation of curb cuts particularly in neighborhoods where residents and businesses depend solely on on-street parking.

POLICY

No person shall construct, widen, remove or alter any driveway or curb cut without a permit issued by the Department of Public Works. It is strongly recommended that developments have vehicle access from the rear or side (an alley or street with no on street parking).

For residential, commercial and industrially-zoned properties, curb cuts will only be considered under the following conditions:

- a) Access to parking garage structures;
- b) Access to parking lots with more than five spaces;
- c) For dwelling units without rear access to parking lot, garage structure or pad;
- d) For dwelling units which are capable of securing side street access to garage or pad;
- e) Existing curb cuts or abandoned curb cuts do not guarantee approval for reuse unless there is an existing permit; however,
- f) The City reserves the right to deny a curb cut request regardless of the availability or unavailability of side and rear access.

PROCEDURES

- a) Requests for curb cuts must be submitted with an acceptable drawing. All dimensions, existing above-ground structures, and utility information must be shown in the drawing. A sample submittal drawing may be obtained from the Permits Section of the Department of Public Works, 200 N. Holliday Street, Room 7. Additionally, a letter stating why the new curb cut is needed and why access cannot be built from the off-street property line or alley is required.
- b) After the curb cut permit is approved, all work must be completed within two months and all costs associated with the approval, including the necessary relocations and repairs of utilities and municipal services, shall be paid by the applicant.

- c) Driveway aprons which have been constructed without approval of the Department of Public Works shall be removed. A notice in writing shall be sent to the owner of such property, directing that the driveway apron be completely removed within one month. If such request for removal is not complied with in the time specified, the Department may cause the same to be removed, and the owner shall be liable to the City for all costs incurred in the removal of the driveway apron.
- d) The property owner must replace abandoned or existing curb cuts to City standards. These typically include sidewalks, curb and gutter.
- e) The Site Plan Review Committee (SPRC) may require widening of the alley.

STANDARDS

- a) All driveway designs with access onto City-owned roadways must conform to the Baltimore City, Department of Transportation, Highway Division Book of Highway Design, standard No. BC-500.01.
- b) Radii and width standards are as follows:

Driveway	Radius	Maximum Width
Residential for up to 5 spaces	10 feet	10 feet
Residential more than 5 spaces	10 feet	17-24 feet
Business, One-way	10 feet	17-18 feet
Business, Two-way	15 feet	30-36 feet
Industrial	30 feet	35-40 feet

PROCESS/APPEAL

- a) Curb cuts for driveways require **Curb Cut Permits** from the Department of Public Works, with review and approval by the Department of Transportation and Department of Housing and Community Development .
- b) All requests for curb cuts must be submitted to the Department of Public Works, Permits Division, 200 N. Holiday Street, Abel Wolman Building, Room 7, and be reviewed and approved by the appropriate agencies.
- c) Owners must apply for a **Building Permit** at the Department of Housing and Community Development (HCD), 417 E. Fayette Street, Charles Benton Building, Room 101, (Plan Examining Section). **No building Permit will be issued without an approved Curb Cut Permit.**

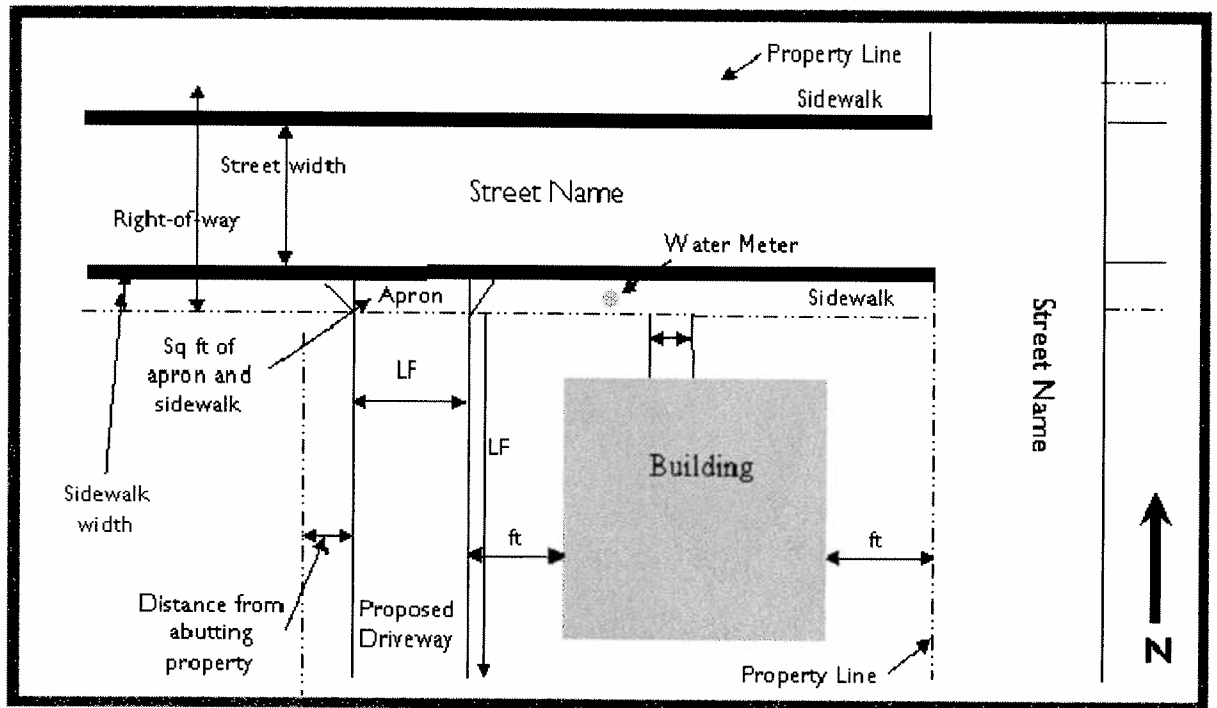
- d) Applications that are denied can be appealed to the Site Plan Review Committee at the Department of Planning, 417 E. Fayette Street, 8th Floor.

CURB CUT SUBMITTAL – SAMPLE DRAWING

PERMIT FEES ARE DEPENDENT UPON THE SIZE OF THE DRIVEWAY AND/OR FOOTWAY AND THE AMOUNT OF CURB TO BE REMOVED.

1. \$ 15.00 per linear foot to be removed;
2. \$ 20.00 flat fee for installation of footway and driveway apron with concrete cement;
3. \$ 55.00 per week to block sidewalk;
4. \$ 65.00 per week to utilize the curb lane for the installation of driveway or driveway repairs.

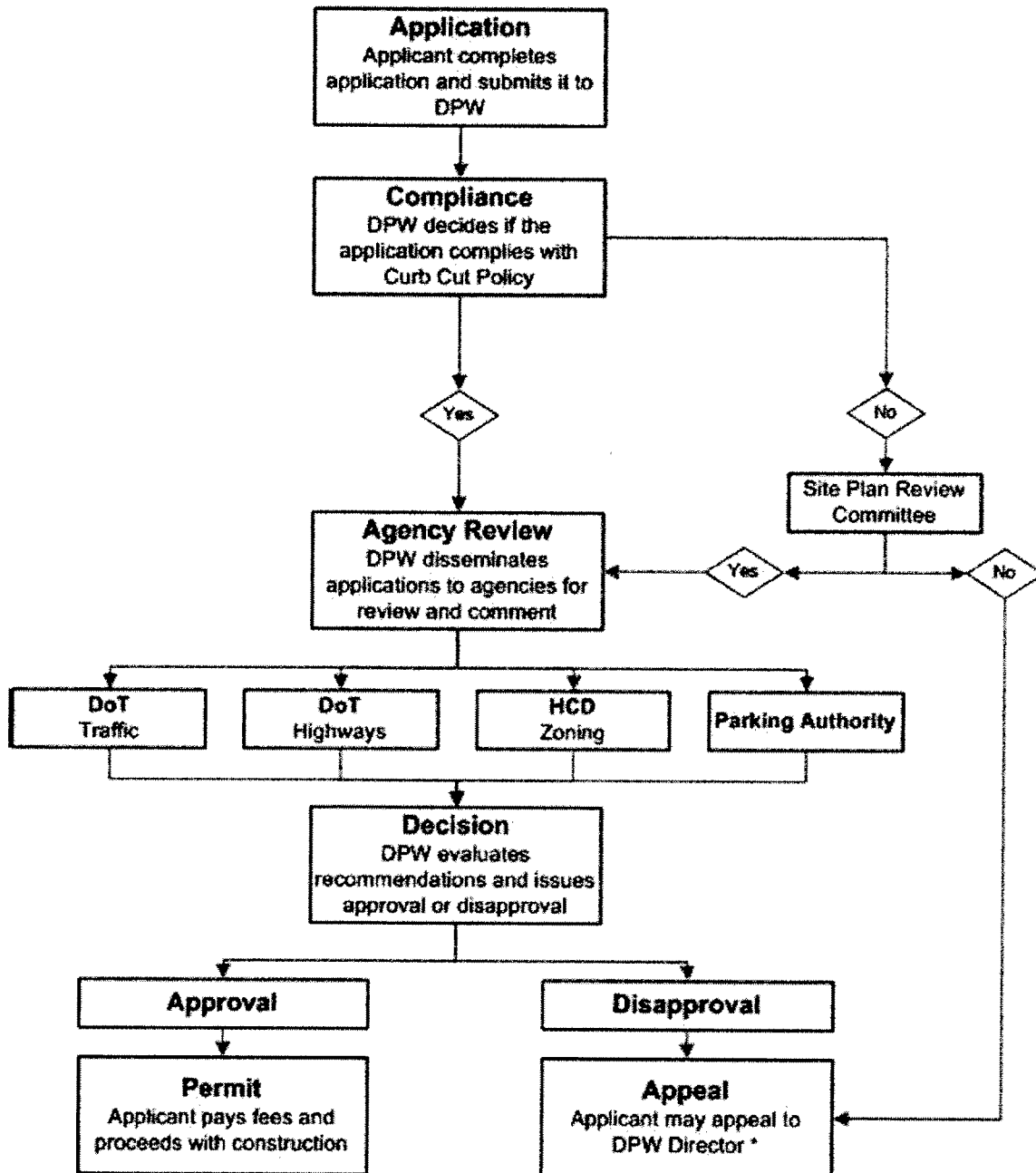
SAMPLE DRAWING



Note: Property owner must locate utilities such as light poles, water meters, etc. in proposed construction area; give measurements from existing building, property lines and/or fence lines to construction.

Indicate the driveway distance from the nearest intersection and distance from adjacent driveways (must be at least 15 feet). Indicate if the curb cut is for a side parking pad or a driveway into a garage. Curb cuts for front parking are not permitted.

Curb Cut Permit Approval Flowchart



* If appeal is approved,
application must go back to
Agency Review